

**TENTH LEGISLATIVE DAY
WEDNESDAY, JANUARY 21, 2004**

House of Representatives

The House convened at 11:15 a.m., the Speaker in the Chair.

Roll call showed 64 members present.

Absent and excused -- Barraclough, Boe, Henbest, Jones, Lake, Sali. Total -- 6.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Logan Pedrow, Page.

Approval of Journal

January 21, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Ninth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

Report of Standing Committees

January 21, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 480, H 481, H 482, H 483, H 484, H 485, H 486, H 487, H 488, H 489, H 490, H 491, H 492, H 493, H 494, H 495, H 496, H 497, H 498, H 499, H 500, H 501, and H 502.**

FIELD(18), Chairman

H 480 was referred to the Transportation and Defense Committee.

H 481 was referred to the Revenue and Taxation Committee.

H 482 was referred to the Resources and Conservation Committee.

H 483, H 484, H 485, H 486, H 487, H 488, H 489, H 490, H 491, H 492, H 493, H 494, H 495, H 496, H 497, H 498, and H 499 were referred to the Business Committee.

H 500, H 501, and H 502 were referred to the State Affairs Committee.

January 20, 2004

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 475** and recommend that it do pass.

WOOD, Chairman

H 475 was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE JOINT RESOLUTION NO. 4
BY STATE AFFAIRS COMMITTEE**

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO SECTION 8, ARTICLE IX, OF THE CONSTITUTION OF THE STATE OF IDAHO, RELATING TO LOCATION AND DISPOSITION OF PUBLIC LANDS, TO INCREASE THE ACREAGE OF STATE LANDS THAT MAY BE SOLD IN SUBDIVISIONS BY THE STATE BOARD OF LAND COMMISSIONERS FROM THREE HUNDRED TWENTY TO SIX HUNDRED FORTY ACRES OF LANDS WHICH MAY BE SOLD TO ANY ONE INDIVIDUAL, COMPANY OR CORPORATION; STATING THE QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW; AND DIRECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

**HOUSE BILL NO. 503
BY APPROPRIATIONS COMMITTEE**

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2004; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 504
BY APPROPRIATIONS COMMITTEE**

AN ACT

RELATING TO TRANSFERS OF FUNDS; PROVIDING A TRANSFER OF FUNDS TO THE PEST CONTROL DEFICIENCY FUND; PROVIDING A TRANSFER OF FUNDS TO THE FIRE SUPPRESSION DEFICIENCY FUND; PROVIDING TRANSFERS OF FUNDS TO THE HAZARDOUS SUBSTANCE EMERGENCY RESPONSE FUND; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 505
BY REVENUE AND TAXATION COMMITTEE**

AN ACT

RELATING TO PROPERTY TAX APPEALS; AMENDING SECTION 63-3811, IDAHO CODE, TO DELETE REFERENCE TO A STATUTE THAT IS NO LONGER APPLICABLE TO TAX APPEALS.

HOUSE BILL NO. 506
BY REVENUE AND TAXATION COMMITTEE
 AN ACT

RELATING TO PROPERTY TAX APPEALS; AMENDING SECTION 63-3812, IDAHO CODE, TO CLARIFY THE PROCEDURE TO FILE AN APPEAL TO DISTRICT COURT AND TO PROVIDE A TECHNICAL CORRECTION.

HOUSE BILL NO. 507
BY TRANSPORTATION AND DEFENSE COMMITTEE
 AN ACT

RELATING TO SLOW MOVING VEHICLES; AMENDING SECTION 49-619, IDAHO CODE, TO CLARIFY OPERATION OF SLOW MOVING VEHICLES ON PUBLIC HIGHWAYS.

HOUSE BILL NO. 508
BY STATE AFFAIRS COMMITTEE
 AN ACT

RELATING TO THE JUDGES' RETIREMENT FUND; AMENDING SECTION 1-2008, IDAHO CODE, TO PROVIDE THAT THE ENDOWMENT FUND INVESTMENT BOARD AS ESTABLISHED IN CODE SHALL SELECT AND CONTRACT WITH INVESTMENT MANAGERS AT THE DIRECTION OF THE SUPREME COURT, TO REVISE THE INVESTMENT AUTHORITY RELATING TO THE JUDGES' RETIREMENT FUND, TO MAKE GRAMMATICAL CORRECTIONS AND TO PROVIDE THAT THE INVESTMENT BOARD MAY SELECT AND CONTRACT WITH BANKS AND TRUST COMPANIES LICENSED TO DO BUSINESS IN IDAHO; DECLARING AN EMERGENCY AND PROVIDING FOR RETROACTIVE APPLICATION.

HOUSE BILL NO. 509
BY STATE AFFAIRS COMMITTEE
 AN ACT

RELATING TO THE IDAHO ENDOWMENT FUND INVESTMENT BOARD; AMENDING SECTION 57-720, IDAHO CODE, TO PROVIDE THAT PERMANENT ENDOWMENT FUNDS AND EARNINGS RESERVE FUNDS MAY BE COMBINED OR POOLED FOR INVESTMENT AND TO PROVIDE CORRECT TERMINOLOGY; DECLARING AN EMERGENCY AND PROVIDING FOR RETROACTIVE APPLICATION.

HOUSE BILL NO. 510
BY STATE AFFAIRS COMMITTEE
 AN ACT

RELATING TO STATE LANDS; AMENDING SECTION 47-701, IDAHO CODE, TO PROVIDE AN EXCEPTION FOR RESERVING MINERAL LANDS FROM SALE WHEN THE SURFACE ESTATE IS IDENTIFIED BY THE STATE BOARD OF LAND COMMISSIONERS AS HAVING THE POTENTIAL HIGHEST AND BEST USE FOR DEVELOPMENT PURPOSES, SUCH AS RESIDENTIAL, COMMERCIAL OR INDUSTRIAL PURPOSES AND TO PROVIDE THAT A PURCHASER OF LANDS MAY ACQUIRE RIGHT, TITLE OR INTEREST IN THE MINERAL DEPOSITS; AMENDING

SECTION 47-711, IDAHO CODE, TO PROVIDE FOR THE SALE OF LANDS AS A SINGLE ESTATE WHEN THE STATE LAND IS IDENTIFIED AS HAVING THE HIGHEST AND BEST USE FOR DEVELOPMENT PURPOSES SUCH AS RESIDENTIAL, COMMERCIAL OR INDUSTRIAL PURPOSES, TO PROVIDE FOR RESERVATION OF MINERAL DEPOSITS IN CERTAIN INSTANCES AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 47-712, IDAHO CODE, TO PROVIDE THAT ALL APPLICATIONS TO PURCHASE THOSE STATE LANDS THAT HAVE NOT BEEN IDENTIFIED AS HAVING THE POTENTIAL HIGHEST AND BEST USE FOR DEVELOPMENT PURPOSES, SUCH AS RESIDENTIAL, COMMERCIAL OR INDUSTRIAL PURPOSES APPROVED SUBSEQUENT TO THE PASSAGE OF THIS CHAPTER SHALL BE SUBJECT TO A RESERVATION TO THE STATE OF ALL MINERAL DEPOSITS IN THE LAND.

HOUSE BILL NO. 511
BY STATE AFFAIRS COMMITTEE
 AN ACT

RELATING TO THE STATE BOARD OF LAND COMMISSIONERS; AMENDING SECTION 58-104, IDAHO CODE, TO PROVIDE THAT THE STATE BOARD OF LAND COMMISSIONERS SHALL HAVE POWER TO SOLICIT BIDS AND CONTRACT FOR WORK TO BE PERFORMED.

HOUSE BILL NO. 512
BY REVENUE AND TAXATION COMMITTEE
 AN ACT

RELATING TO THE IDAHO INSURANCE GUARANTY ASSOCIATION; AMENDING SECTION 41-3616, IDAHO CODE, TO PROVIDE THAT A MEMBER INSURER MAY OFFSET AGAINST ITS PREMIUM TAX LIABILITY THE ASSESSMENT IMPOSED FOR OBLIGATIONS OF THE INSURANCE GUARANTY ASSOCIATION AND TO PROVIDE FOR DEPOSIT OF CERTAIN REFUNDS TO THE STATE GENERAL FUND; DECLARING AN EMERGENCY AND PROVIDING A RETROACTIVE EFFECTIVE DATE.

HJR 4, H 503, H 504, H 505, H 506, H 507, H 508, H 509, H 510, H 511, and H 512 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Denney moved that the House adjourn until 11:15 a.m., Thursday, January 22, 2004. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:32 a.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk